

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

Official Minutes January 14, 2005

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**MINUTES OF REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN
JEFFERSON CITY, MISSOURI, ON FRIDAY, JANUARY 14, 2005**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission held on Friday, January 14, 2005, in Jefferson City, Missouri, was called to order at 9:30 a.m. by Bill McKenna, Chair. The following Commissioners were present: Marjorie B. Schramm, Vice Chair, James B. Anderson, Duane S. Michie, Wallace S. Hartsfield, and Larry D. Webber.

The meeting had been called pursuant to Section 226.120 of the 2000 Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the 2000 Revised Statutes of Missouri, as amended.

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Mr. Pete Rahn, Director of the Missouri Department of Transportation; Mr. Rich Tiemeyer, Chief Counsel for the Commission; and Mrs. Mari Ann Winters, Secretary to the Commission, were present on Friday, January 14, 2005.

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*"Department" or "MoDOT" herein refers to Missouri Department of Transportation.
"Commission" or "MHTC" herein refers to Missouri Highways and Transportation Commission.*

CLOSED MEETING

The agenda of the closed meeting was posted in keeping with Sections 610.020 and 610.022, RSMo., including the following statutory citations allowing the meeting to be closed:

1. Section 610.021(11), (12) – Specifications for competitive bidding, sealed bids, or negotiated contracts.
2. Section 610.021(1) – Legal actions and attorney-client privileged communications.
3. Section 610.021(3), (13) – Personnel administration regarding particular employees.

The Commission met in the Closed Meeting from 8:15 a.m. until 9:30 a.m.

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APPROVAL OF MINUTES, REGULARLY SCHEDULED HIGHWAYS AND TRANSPORTATION COMMISSION MEETING, DECEMBER 10, 2004

Upon motion duly made and seconded, the Commission unanimously approved the minutes of its December 10, 2004, regularly scheduled meeting. The Chair and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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CONSENT AGENDA

In order to make the most efficient use of Commission meeting time and to ensure the Commission members are well informed on issues requiring their action, the staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items on the Commission meeting agenda. Those items considered by the staff to be of a routine or noncontroversial

nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to "consent agenda" is made in each minute approved via the process described in the paragraph above. Minutes reflecting action on items removed from the consent agenda and openly discussed reflect the open discussion and vote thereon.

No items were removed from the consent agenda. Upon motion by Commissioner Michie, seconded by Commissioner Schramm, all items on the consent agenda were unanimously approved.

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REPORTS OF COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS

The Commission has five standing committees: Audit Committee, Bond Financing Committee, Building Committee, Compensation Committee, and Legislative Committee. In addition, it elects Commission representatives to two boards: Missouri Transportation Finance Corporation and MoDOT and Patrol Employees' Retirement System. The following committee reports were made during the January 14, 2005, meeting.

Legislative Committee – Chairman McKenna noted that MoDOT Director Pete Rahn would be making the State of Transportation address to a Joint Session of the General Assembly on

February 2, 2005. He also reported that Congressman Russ Carnahan had been appointed to the U.S. House Transportation Committee.

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ADOPT-A-HIGHWAY PROGRAM

Chairman McKenna reported that on January 10, 2005, the U.S. Supreme Court had denied the Commission's petition for writ of certiorari to review the June 3, 2004, decision of the U.S. Court of Appeals for the Eighth Circuit to allow the Knights of the Ku Klux Klan (KKK) to participate in MoDOT's Adopt-A-Highway Program. He expressed concern that previous attempts to revise administrative rules pertaining to this program in order to disallow participation by those who discriminate on the basis of race were not upheld by the courts.

Chairman McKenna said the Commission also feels strongly that organizations with a history of violence as determined by the courts should not qualify for participation in the Adopt-A-Highway Program. He stated that the Commission had asked its Chief Counsel to work with the Attorney General's Office to review the court's rulings and propose rule changes in keeping with the Commission's sentiments as noted above.

Commissioner Hartsfield stated that it was regrettable that the law has been interpreted to protect an organization that has historically promoted racial discrimination. He said he had personally witnessed the violence that accompanies such a view. He expressed appreciation to the MoDOT staff and current and prior members of the Commission for pursuing this issue as far as the legal system allows. He noted, however, that it is disheartening to experience the silence of the majority community on this type of issue.

* * * * *

HEARING – OUTDOOR ADVERTISING ISSUE, ROUTE 54, CALLAWAY COUNTY

Mr. Raymond Cox of Fulton met with the Commission to explain his objection to MoDOT issuing Outdoor Advertising Permit No. 27110 to Natural Resources, Inc.

Mr. Cox alleged that the MoDOT staff was negligent in its review of the application for the outdoor advertising permit and, therefore, he felt the permit should be voided. He asked the Commission to cause the sign to be removed.

Mr. Cox specifically alleged the following:

1. The application contained errors pertaining to the location of the property where the sign was to be located.
2. The applicant had not submitted with its application, “all necessary business licenses required to operate this business,” as stated in the regulations and as noted on the application. He specifically called attention to the absence of a state sales tax license.
3. The business used to qualify placement of the sign, “The Barn,” was bogus.
4. The outdoor advertising permit cited an incorrect log mile reference for the sign.
5. The sign structure was not completed within two years of the date the permit was issued; therefore, Mr. Cox felt the permit should have been voided in keeping with MoDOT’s rulebook for outdoor advertising signs.
6. Since the qualifying business was not in existence prior to the sign being erected, it was nonconforming before it was constructed and, therefore, MoDOT should not have allowed its construction.

Mr. Cox explained that the sign in question was erected on property that joins his property and on which he operates a business. The structure is located very near the end of his building. Mr. Cox said while he did not necessarily want to erect an outdoor advertising structure on his property, he had submitted an application to do so that fully complied with MoDOT’s rules in an effort to keep the sign in question from being erected. (Outdoor advertising signs at the location in question must be at least 1400 feet apart.) He explained,

however, that his application had been denied in favor of the application from Natural Resources, Inc., which he felt misrepresented material facts and failed to attach the required documents.

Dave Nichols, Project Development Director, and Pete Rahn, Director, expressed disappointment that MoDOT staff had been unable to resolve the issue. They stated, however, that they had reviewed the matter and felt the MoDOT staff had acted appropriately and consistent with its rules in reviewing the application, checking the documentation, and determining, “The Barn,” to be a qualifying business in keeping with the criteria outlined in the statutes and administrative rules. They felt that it would be inappropriate for MoDOT to take any action regarding this issue without court instruction to do so.

After discussion of the issue with both Mr. Cox and the staff, the Commission concurred with the staff.

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RISK MANAGEMENT ANNUAL REPORT

On behalf of the Director, Pat Goff, Director of Finance; Gerry Foster, Acting Risk Management Director; and Jean Endsley, Coordinator for Employee Health and Safety Programs, presented an overview of MoDOT’s self-insurance program, which covers Workers Compensation, fleet liability, and general liability.

Mr. Foster discussed each of the self-insurance areas and emphasized the following:

1. Since MoDOT became self-insured in 1987, the annual cost of fleet liability, with the exception of one year, has been less than the 1986 insurance premium.
2. General liability costs have steadily increased during the past five-year period; however, increases in the sovereign immunity cap in year 2000 and “joint and several” liability have contributed to increases over previous years. MoDOT is seeking legislative relief in this area.

3. Compared to the National Council on Compensation Insurance which publishes annual rates for payroll classifications, MoDOT's actual Workers Compensation experience over the past five years resulted in an estimated savings of \$12 million.
4. Recovery for damage done to MoDOT property totaled \$2.3 million in 2004.

Ms. Endsley explained MoDOT's focus on safety and health issues, and she explained programs pertaining to post-incident investigations, preemployment physical examinations, medical surveillance, and drug and alcohol testing. She noted that changes had been made in MoDOT personnel policies to outline corrective action issues as they pertain to job related incidents.

* * * * *

RURAL PUBLIC TRANSPORTATION MARKETING PROGRAM

On behalf of the Director, Brian Weiler, Director of Multimodal Operations, explained that the Rural Public Transportation Marketing Program is a cooperative effort between MoDOT and 31 rural public transportation providers in Missouri. The goal of the effort is to equip local transit providers with tools and training necessary to market and increase awareness about mobility services that are available to the general public. The program is funded entirely by the Federal Transit Administration. Rural transportation operators provided over 3 million one-way trips in 2004; the number of trips is growing at the rate of approximately 75,000 per year.

Mr. Weiler showed a video prepared for the Rural Public Transportation Marketing Program. The video provided a high level overview of rural transportation issues. Other marketing products include television, radio, and newspaper ads, a brochure, and transit vehicle decals.

Mr. Weiler acknowledged and expressed appreciation to the following individuals for their work on the Rural Public Transportation Marketing effort: Jeff Brune, Cape Girardeau County Transit Authority; Elaine Campbell, City of Houston; Linda Yaeger, OATS; Larry Goodloe, Ray County Transportation; Bill Osborne, Southeast Missouri Transportation Service; Sandy Harty, Stoddard County Transit; Steve Billings, MoDOT's Administrator of Transit; and Shirley Tarwater, MoDOT's Transit Operation Specialist.

Mr. Weiler recalled that the Commission had approved a \$10 million expansion item for public transportation in MoDOT's legislative budget request. He noted that while the demand for public transportation services is increasing, funding for public transportation programs has experienced a 50 percent reduction.

After discussion of the media effort and clarification that public transportation funding is comprised of state General Revenue funds and federal funds, the Commission commended each of the participants for their work and involvement in rural public transportation.

* * * * *

AMENDMENT 3 UPDATE

On behalf of the Director, Kevin Keith, Chief Engineer, recommended approval of 177 projects totaling nearly \$350 million to address the Smooth Roads Initiative (Element 1 of the Amendment 3 Program). (The list includes the Smooth Roads Initiative projects approved by the Commission at its December 10, 2004, meeting.) In addition, Mr. Keith recommended that 55 projects totaling nearly \$432 million be advanced from their existing schedule in the 2005-2009 Statewide Transportation Improvement Program (STIP) (Element 2 of the Amendment 3 Program). The project accelerations will allow the public to use the improved facilities two to

three years ahead of schedule. Mr. Keith estimated that the projects identified in the two lists would be completed or under contract in the next 24-month period.

Mr. Rahn estimated the interest cost of accelerating projects in Element 2 would be \$36 million. He noted that at 2.5 percent inflation, the cost would be reduced by half. Using a conservative five percent return on investments for the benefits the roads will bring to the communities and the state by building them earlier, Mr. Rahn emphasized that accelerating the projects would ultimately produce a benefit of approximately \$12 million. He emphasized that the opportunity to provide these improvements to Missourians on an accelerated schedule was made available by voter approval of Amendment 3.

Mr. Rahn also pointed out that the number of improvements made available by Amendment 3 could be increased through the use of local matching funds, and he encouraged local communities to participate in cost sharing programs.

Pat Goff, Director of Finance, described the process used to inform the members of the legislature of the Commission's intent to finance the projects shown on the lists with proceeds from bond sales. He reported that the staff will be seeking innovative funding proposals from the financial community in order to stretch a limited supply of revenue as far as possible.

The Commission, Mr. Rahn, and Mr. Keith expressed appreciation to many staff members for their efforts to meet the demands of the Smooth Roads Initiative and the accelerated projects.

Upon motion by Commissioner Michie, seconded by Commissioner Anderson, the Commission (1) amended the 2005-2009 STIP to add the projects associated with the Smooth Roads Initiative (Element 1 of the Amendment 3 Program), (2) amended the 2005-2009 STIP to accelerate the 55 projects totaling approximately \$432 million, and (3) authorized the staff to

forward the projects to the General Assembly in order to begin the bond financing process. Commissioners McKenna, Schramm, Michie, Anderson, and Webber submitted letters to the Secretary to the Commission noting projects located within one mile of an area in which they have an interest and reflecting their abstentions thereon. The project lists noted for Elements 1 and 2 noted above were filed with the Secretary.

Initial meetings are scheduled with regional planning commissions, metropolitan planning organizations, and others in February 2005, which will lead to the identification of proposed new projects for inclusion in the 2006-2010 STIP (Element 3 of the Amendment 3 Program.)

* * * * *

MEDICAL AND LIFE INSURANCE PLAN, APPOINTMENT OF BOARD MEMBER

On behalf of the Director, Jeff Padgett, Manager of Employee Benefits, Chairman, Medical and Life Insurance Plan Board of Trustees, recommended reappointment of Teresa White to the Medical and Life Insurance Board of Trustees for a six-year term ending November 2010.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

* * * * *

U.S. 36/I-72 TRANSPORTATION CORPORATION APPROVAL OF PROJECT

On behalf of the Director, Kirk Juranas, District 3 Engineer and Pat Goff, Director of Finance, advised that in February 2003, the Commission considered an application to form the U.S. Highway 36/I-72 Transportation Corporation (Corporation).

The Corporation project includes the construction of 52.3 miles of two additional lanes on Route 36, located from the city of Macon to eight miles west of the city of Hannibal. The Commission ordered a public hearing to consider the corporation formation and the project. Public input yielded over 80 percent favorable comments; the Commission approved the formation of the Corporation in June 2003.

The Corporation proposes to form a Transportation Development District (TDD) to fund the local share of the project through voter approval of a 15-year one-half of one percent sales tax in Macon, Marion, Monroe, Ralls, and Shelby counties. Each of these counties has passed a resolution in support of the TDD formation and the project. The Corporation is requesting Commission commitment to participate in the project funding through a Preliminary Agreement stating that MoDOT will complete construction of the project by December 2009 and the Corporation will be responsible for providing 50 percent of the construction costs. The Commission will pay the remaining project costs.

The Commission was advised that the project will improve, and is a desirable extension of, the state highways and transportation system. Further, the agreement stipulates that:

1. The Corporation's revenues shall be expended pursuant to a Cooperative Agreement.
2. MoDOT will engineer the project in a manner that is consistent with the funding available from the combined contributions of the Corporation and MoDOT.
3. In the event state revenues for highway construction on the state highway system are increased within three years of the effective date of the Cooperative Agreement by a minimum of \$500 million per year over current estimated revenues, the Corporation's obligation under the Cooperative Agreement shall be reduced to 10 percent of the final project costs.
4. If the Corporation is unable to provide funding for 50 percent of the project construction costs, the Project will have to compete with other projects for statewide resources.
5. MoDOT and the Corporation will agree on ballot language of said sales tax prior to its submission to the voters.
6. Any Cooperative Agreement for the Project will be presented to the Commission for prior approval.

7. Any expense incurred by the Corporation prior to entering into the Cooperative Agreement is the responsibility of the Corporation, except for the reimbursements provided by the Cooperative Agreement.

Via approval of the consent agenda, the Commission unanimously authorized the Director, Chief Engineer, or Director of Finance to enter into a preliminary financing agreement with the U.S. 36/I-72 Transportation Corporation stating that MoDOT will complete construction of, and have cars driving on, the project by December 2009 if the Transportation Corporation agrees to pay for 50 percent of the construction costs from a voter approved sales tax.

* * * * *

CITY OF WASHINGTON, APPROVAL OF PROJECT

On behalf of the Director, Ed Hassinger, District 6 Engineer, and Pat Goff, Director of Finance, advised that in February 2003, the Commission considered an application filed by the City of Washington (City) to form the Missouri Route 100 Transportation Corporation (Corporation). The Corporation project includes the construction of approximately ten miles of two additional lanes on Route 100, located between the City of Washington and I-44 (Project). Due to time constraints to form a Corporation and the parameters set by MoDOT for funding the Project, the City subsequently proposed to partner with MoDOT to accomplish the Project. The City requested the Commission's commitment to participate in the Project funding through a Preliminary Agreement. The completion date will be determined when funding sources for the project are identified.

The City proposes to fund the local share of the Project through voter approval of a minimum of a one-half of one percent sales tax. The Commission will provide the balance of the funding for the project costs.

The Commission was advised that the project will improve, and is a desirable extension of, the state highways and transportation system; however, East-West Gateway Council of Governments staff is not fully supportive of this project at this time. Further, the agreement stipulates that:

1. The City revenues shall be expended pursuant to a Cooperative Agreement.
2. MoDOT will engineer the Project in a manner that is consistent with the funding available from the combined contributions of the City and MoDOT.
3. In the event state revenues for highway construction on the state highway system are increased within three years of the effective date of the Cooperative Agreement by a minimum of \$500 million per year over current estimated revenues, the City's obligation under the Cooperative Agreement shall be reduced to 10 percent of the final project costs.
4. If the City is unable to provide funding for 50 percent of the project construction costs, the Project will have to compete with other projects for statewide resources.
5. MoDOT and the City will agree on ballot language of said sales tax prior to its submission to the voters.
6. Any Cooperative Agreement for the Project will be presented to the Commission for prior approval.
7. Any expense incurred by the City prior to entering into the Cooperative Agreement is the responsibility of the City, except for the reimbursements provided by the Cooperative Agreement.

Via approval of the consent agenda, the Commission unanimously authorized the Director, Chief Engineer, or Director of Finance to enter into a preliminary financing agreement with the City of Washington if the City agrees to pay for 50 percent of the project costs from a voter approved sales tax.

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2005-2009 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM, JANUARY 2005 AMENDMENTS

On behalf of the Director, Kyle Kittrell, Transportation Planning Director, recommended that eight projects, totaling \$1,612,000, be added to the 2005-2009 Statewide Transportation Improvement Program.

County	Route	Description of Location/Improvement
Clinton	35	Mill and resurface driving lanes of interchange ramps with 1 3/4" of asphalt, and striping at the I-35 and Route PP interchange.
Linn	V	Intersection safety improvements at intersection of Routes V and M.
Cass	71	Mill and resurface ramps from 283rd Street to the Bates County line.
Clay	35	Mill and resurface ramps from Clinton County line to I-29 split.
Clay	210	Modify existing street lights to KCMO standards so KCMO will take ownership/maintenance of the lights from north Kansas City limits to I-435.
Jackson	70	Ramp rehabilitation at Manchester, Blue Ridge Cut-off, Blue Ridge Boulevard, and Lee's Summit Road.
Cole	54	Widen shoulder at various locations on eastbound Route 54 from east of Goller Road to west of Route 179.
St. Clair	13	Grade and pave a northbound left-turn lane 0.6 mile north of Route B at Old Route 13.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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ENHANCEMENT PROGRAM

On behalf of the Director, Kyle Kittrell, Transportation Planning Director, recommended (1) implementing a revised enhancement program with the revised funding distribution noted below, and (2) retaining TapanAm Associates, Inc., to design two welcome centers, one in Joplin and one in the Bethany area.

Proposed Distribution:

Selection Process	% Population	Annual Funding
Statewide (25%)		\$4.250 Million
Local (75%)		\$12.750 Million
St. Louis (EWGCOG)	34.68%	\$4.421 Million
Kansas City (MARC)	16.36%	\$2.086 Million
Springfield (OTO)	4.62%	\$0.589 Million
District 1	3.61%	\$0.460 Million
District 2	3.17%	\$0.404 Million

District 3	3.59%	\$0.458 Million
District 4	3.68%	\$0.469 Million
District 5	8.09%	\$1.032 Million
District 7	5.88%	\$0.750 Million
District 8	4.65%	\$0.593 Million
District 9	4.61%	\$0.588 Million
District 10	7.06%	\$0.900 Million
Total	100.00%	\$17.000 Million

Via approval of the consent agenda, the Commission unanimously approved the recommendations and authorized the Chief Engineer to enter into a contract with TapanAm Associates, Inc., for design services in an amount not to exceed \$1 million. The contract is subject to approval as to form by the Chief Counsel.

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MISSOURI'S LONG-RANGE TRANSPORTATION PLAN

On behalf of the Director, Kyle Kittrell, Transportation Planning Director, recommended approval of a \$1.5 million contract with HNTB, the prime consultant on a project to assist the staff in developing a Long-Range Transportation Plan (LRTP). Subconsultants include Wilbur Smith Associates, Howard/Stein-Hudson, the Osprey Group, and Abacus Associates.

Via approval of the consent agenda, the Commission unanimously approved the recommendation and authorized the Chief Engineer to execute the contract, subject to approval as to form by the Chief Counsel. A draft of the LRTP will be presented to the Commission during the summer of 2006.

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CONSIDERATION OF BIDS ON FEDERAL-AID AND STATE PROJECTS

Award of Contracts December 17, 2004, Bid Opening

On behalf of the Director, Dave Nichols, Director of Project Development, stated that bids for road and bridge improvement projects had been received on December 17, 2004.

Mr. Nichols presented a tabulation of the bids received on all projects and recommended awards be made to the lowest responsive and responsible bidder noted below. Mr. Nichols also recommended that Heckert Construction Company, Inc., be declared non-responsive on Call 701 because it was not in good standing with the Secretary of State's office when the bids were opened.

<u>Route County Project</u>	<u>Bid Amount Plus 3% for Contingencies</u>	<u>Non- Contractual Costs</u>	<u>Contractor</u>
Call 201 24 Chariton J2M0014	\$759,517.59		Chester Bross Const. Co./ C.B. Equipment, Inc. Hannibal, MO
Call 202 136, NN, A Putnam J2M0015	880,985.12		Norris Asphalt Paving Co. Ottumwa, IA
Call 203 240 Saline J2M0016	1,135,852.43		Chester Bross Const. Co./ C.B. Equipment, Inc. Hannibal, MO
Call 301 24 Marion J3P0689 MM Marion J3M0041	1,270,742.70	3,800.00	Chester Bross Const. Co./ C.B. Equipment, Inc. Hannibal, MO

Call 302			
Pk. Roads	462,000.33		Chester Bross Const. Co./
Lewis			C.B. Equipment, Inc.
J3L04WAK			Hannibal, MO
DD			
Ralls			
J3L0500G			
168			
Marion			
J3M0040			
Call 303			
D	509,643.00		Chester Bross Const. Co./
Audrain			C.B. Equipment, Inc.
J3L0500A			Hannibal, MO
154			
Monroe/Ralls			
J3L0500E			
Call 304			
54	819,416.20	288.00	Chester Bross Const. Co./
Audrain/Callaway			C.B. Equipment, Inc.
J3P0720			Hannibal, MO
Call 401			
35	21,573,631.48	1,000,656.00	Clarkson Construction
Clay			Company
J4I1326			Kansas City, MO
Call 402			
152	3,676,213.57	728.00	Emery Sapp & Sons, Inc.
Platte			Columbia, MO
J4U1169			
Call 403			
50	316,171.89	3,086.00	Mega Industries Corporation
Jackson			North Kansas City, MO
J4P1649			
50			
Jackson			
J4P1660			
Call 601			
WW	2,322,631.79	2,909.92	N. B. West Contracting
Crawford			Company
J6L0500B			Brentwood, MO

AF
Franklin
J6L0500C
JJ
Franklin
J6L0500D
W
Franklin
J6L0500E
N.O.R. 44
Franklin
J6L0500G
N.O.R. 44
Crawford
J9L0500B
N.O.R. 44
Crawford
J9M0054
Pks. Road
Washington
J9L05WAS

Call 602

44	705,291.22	1,312.00	Sunrise Construction, Inc.
St. Louis			St. Louis, MO
J6I1672			
44			
St. Louis			
J6I1853			

Call 603

270	456,460.63	144.00	Sunrise Construction, Inc.
St. Louis			St. Louis, MO
J6I1740			

Call 604

30	8,927,107.79	288.00	St. Louis Bridge Construction
St. Louis			Co.
J6S1617			Arnold, MO

Call 605

100	12,056,737.69	71,746.33	KCI Construction Company
St. Louis City			St. Louis, MO
J6I1335			

Call 701 160 Barton J7L0500H	651,320.70		APAC-Missouri, Inc. Columbia, MO
Call 702 13 St. Clair J7P0428J	97,293.08		Gehm Environmental Boonville, MO
Call 703 13 St. Clair J7M0009	1,213,987.13		Chester Bross Const. Co./ C.B. Equipment, Inc Hannibal, MO
Call 704 43 Jasper J7M0011 86 Newton J7M0012 Bus. 60 Newton J7M0013 Bus. 71 Newton J7M0014	1,005,833.93		APAC-Missouri, Inc. Columbia, MO
Call 705 54 Cedar/St. Clair J7P0705B	436,110.47		Columbia Curb & Gutter Co. Columbia, MO
Call 801 C Webster J8L0500D B Webster J8L0500I 38 Webster/Wright J8M0068	704,268.94	13,813.00	Leo Journagan Construction Co., Inc. Springfield, MO

Call 802**NO BIDS RECEIVED****Call 803**

5	900,243.15	6,604.00	APAC-Missouri, Inc.
Wright			Columbia, MO
J8M0069			

Call 807

HH	859,534.59	871.84	Emery Sapp & Sons, Inc.
Laclede			Columbia, MO
J8S0512			

Call 901

68	1,433,624.77	14,154.73	Jefferson Asphalt Company
Phelps/Dent			Jefferson City, MO
J9L0500D			
H			
Phelps			
J9L0500L			
T			
Phelps			
J9L0500M			
Z			
Pulaski			
J9L0500N			
N.O. R. 44			
Pulaski			
J9M0058			

Call X01

61	1,180,339.68		Apex Paving Co.
Scott			Cape Girardeau, MO
J0L0500D			
60 Bus.			
Scott			
J0L0500E			
BB			
Scott			
J0L0500F			
80			
Mississippi			
J0L0500G			
U			
New Madrid			
J0L0500R			

Call X03		
412	2,563,733.60	Apex Paving Co.
Dunklin		Cape Girardeau, MO
J0P0892		
84		
Pemiscot		
J0P0894		
Call X04		
51	544,019.78	Jokerst Paving & Contracting,
Perry		Inc.
J0P0895		Festus, MO
51		
Perry		
J0P0896		
32		
Ste. Genevieve		
J0P0900		
61		
Ste. Genevieve		
J0P0901		
Call X05		
Bus. 67	441,073.30	Lead Belt Materials Company,
St. Francois		Inc.
J0P0898		Park Hills, MO
32		
St. Francois		
J0P0899		
Call X06		
67	1,337,308.48	Pace Construction Company
Wayne		St. Louis, MO
J0P0902		
Totals	<u>\$69,241,095.03</u>	<u>\$1,120,401.82</u>

Construction speed limits conform to the standard work zone speed limits shown on Standard Drawing No. 616.10 as approved by the Commission.

Authority to Reject Bids

Mr. Nichols advised the Commission that bids were received December 17, 2004, for the following projects. He recommended the bids on call numbers 101, 502, 804, and 805 be rejected because they were considered excessive.

<u>Route</u>	<u>County</u>	<u>Project</u>
Call 101		
59	Andrew	J1L0500A
59,111 and Spur 111	Holt	J1L0500F
59	Atchison	J1L0500G
59	Atchison	J1M0045
Call 502		
50/63	Cole	J5P0872
50/63	Cole	J5P0873
Call 804		
86	Stone	J8S0587
Call 805		
86	Stone	J8S0664

Commission Action

After consideration and upon motion by Commissioner Schramm, seconded by Commissioner Webber, the Commission took the following action. Commissioner Michie abstained from voting on Call No. X03.

1. Awarded contracts to the lowest responsive and responsible bidders for bids received on December 17, 2004, as recommended and noted above, and authorized an additional three percent of the contract amount for contingencies. The Commission approved the allocation of funds covering the non-contractual costs for these projects as indicated on the above tabulation.
2. Rejected the bids on Call Nos. 101, 502, 804, and 805.
3. Declared as “non-responsive” the bid of Heckert Construction Company, Inc., on Call 701.

In keeping with the Commission's Delegation of Authority to Execute Documents, the Director, Chief Engineer, or Director of Project Development may execute the contracts awarded above.

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**CAPITAL IMPROVEMENT PROPERTY,
DISPOSAL OF ARCADIA MAINTENANCE LOT, IRON COUNTY**

On behalf of the Director, Tom Stehn, District 9 Engineer, recommended conveyance of 6.78 acres and improvements located on the east side of Circle Drive, just off Old Route 21 in Arcadia, Iron County, to the Iron County Commission, for the consideration of \$60,000. The property is no longer needed due to a maintenance site consolidation.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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**CAPITAL IMPROVEMENT PROPERTY,
DISPOSAL OF QUEEN CITY MAINTENANCE LOT,
SCHUYLER COUNTY**

On behalf of the Director, Mike Bruemmer, District 2 Engineer, recommended conveyance of 3.4 acres and improvements located on the south side of Route O, approximately 400 feet east of the Route 63 and Route O intersection in Queen City, Schuyler County, to the Queen City Feed Producers, c/o David or Laura Anderson, for the consideration of \$62,000. The property is no longer needed due to a maintenance site consolidation.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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**CAPITAL IMPROVEMENT PROPERTY,
DISPOSAL OF LEBANON MAINTENANCE LOT,
LACLEDE COUNTY**

On behalf of the Director, Dale Ricks, District 8 Engineer, recommended conveyance of 3.18 acres and improvements located on the east side along Business Loop 44 (Elm Street), approximately one-third mile west of Route 5 in Lebanon, Laclede County, to the Headly Enterprises, LLC, for the consideration of \$342,002.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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ROADWAY LOCATION AND DESIGN

On behalf of the Director, District Engineers informed the Commission that preliminary plans and exhibits for the following projects were presented at the public hearing.

**Route I-70 South Outer Road, Lafayette County
0.3 Mile East of Jackson/Lafayette County Line
Job No. J4I0977**

Public Hearing Held November 8, 2004

This proposed improvement provides for replacing the existing bridge over Horseshoe Creek. The proposed pavement has two 12-foot lanes and 4-foot shoulders. This project has normal access right-of-way. The South Outer Road will be closed to through traffic during construction. A detour will be provided using state routes. This project is 0.4 mile in length.

Ms. Beth Wright, District 4 Engineer, recommended approval of the location and design as presented at the public hearing.

**Routes 50/65, Pettis County
Intersection of Routes 50/65 in Sedalia
Job No. J5P0833**

Public Hearing Held August 31, 2004

This proposed improvement provides grading, paving, signals and drainage to widen the intersection to accommodate additional turn lanes and wider radii to facilitate turning movements through the intersection. This project has partially controlled access right-of-way. The existing Route 50/65 intersection will remain open during construction; night work will be considered. This project is 0.5 mile in length.

Mr. Roger Schwartz, District 5 Engineer, recommended approval of the location and design as presented at the public hearing.

**Route I-44, Phelps County
Route E to 0.5 Mile East of Route 63
Job No. J9I0525**

Public Hearing Held December 6, 2004

This proposed improvement provides for reconstructing and widening Route I-44 from four to six lanes, providing two through lanes and an auxiliary lane, and connecting Route E and Route 63 ramps in each direction. Improvements include widening the Route E bridge over Route I-44 to three lanes and replacing the existing Vichy Road Bridge over Route I-44. This project has fully controlled access right-of-way for Route I-44 and normal access right-of-way for Vichy Road. The existing and widened portion of Route I-44 will be used while traffic is shifted to one or the other to complete construction. This project is 1.5 miles in length.

Mr. Tom Stehn, District 9 Engineer, recommended approval of the location and design as presented at the public hearing.

**Route 17, Texas County
0.5 Mile South of Route O to Howell County Line
Job No. J9P0440**

**Public Hearings Held February 20, 2003, March 26, 2003,
January 13, 2004, January 15, 2004, November 4, 2004**

This proposed improvement provides a new bridge over the Jacks Fork River and new roadway approaches to the bridge using two 12-foot lanes and 6-foot shoulders. This

project has normal access right-of-way. Staged construction will be necessary to construct this project. During different portions of the project, traffic will utilize existing Route 17, new Route 17, and a temporary bypass. This project is 1.5 miles in length.

Mr. Tom Stehn, District 9 Engineer, recommended approval of the location and design as presented at the public hearings and meetings.

After full consideration of the favorable and adverse economic, social and environmental effects of the recommended designs, the Commission, via approval of the consent agenda, unanimously found and determined the recommended designs would best serve the interest of the public and approved the recommendation.

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RATIFICATION OF APPROVAL OF RIGHT OF WAY PLANS FOR CONDEMNATION

On behalf of the Director, Dave Nichols, Director of Project Development, recommended the Commission ratify the approval of the Chief Engineer of the following right of way plans which have been filed for condemnation.

<u>County</u>	<u>Route</u>	<u>Job Number</u>	<u>Date Commission Approved Design</u>
Jefferson	MM	J6S1637	May 2, 2003
Saline	Bus 65	J2P0702	December 5, 2003

In accordance with Section 227.050 RSMo, the Commission, via approval of the consent agenda, approved the right of way plans for the above noted projects and directed they be filed as necessary for the condemnation of right of way.

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-- REPORTS --

MHTC DEBT MANAGEMENT POLICY

In May 2000, the Commission adopted the MHTC Debt Management Policy. The intent of the policy is to maintain top credit ratings on long-term debt issued by the Commission and to minimize borrowing costs. Reports were furnished to the Commission on the projected annual debt limit and obligations and MoDOT's program acceleration commitments. As of January 2005, the Commission is in compliance with its Debt Management Policy.

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MoDOT FINANCIAL REPORT

Pat Goff, Director of Finance, presented the Financial Report for fiscal year 2005 period ending November 30, 2004. The Financial Report is prepared on a cash basis and does not reflect construction contracts or funds encumbered for expense and equipment.

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DESIGN/BRIDGE ENGINEERING CONSULTANTS REPORT

Dave Nichols, Director of Project Development, presented the Design/Bridge Engineering Consultants Report as of November 30, 2004. The report reflects current active consultant work on projects contained in the State Transportation Improvement Program.

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By unanimous vote of all members present, the meeting of the Commission was adjourned.

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